

## **ARTICLE 5**

### **ADMINISTRATIVE ORGANIZATION**

#### **SECTION 5-1: ORGANIZATION OF TOWN AGENCIES**

The organization of the town into operating agencies for the provision of services and the administration of the government may be accomplished through either of the methods provided in this article.

- (a) **By-Laws** - Subject only to express prohibitions in a general law or the provisions of this charter, the town meeting may, by by-law, reorganize, consolidate, create, merge, divide or abolish any town agency, in whole or in part; establish such new town agencies as it deems necessary or advisable, determine the manner of selection, the term of office and prescribe the functions of all such entities; provided, however, that no function assigned by this charter to a particular town agency may be discontinued, or unless this charter specifically so provides, assigned to any other.
- (b) **Administrative Code** - The town administrator, after consultation with the board of selectmen, may from time to time prepare and submit to the town meeting plans of organization or reorganization which establish operating divisions for the orderly, efficient or convenient conduct of the business of the town.

Whenever the town administrator prepares such a plan the board of selectmen shall hold one or more public hearings on the proposal giving notice by publication in a local newspaper, which notice shall describe the scope of the proposal and the time and place at which the hearing will be held not later than fourteen days following said publication. Following such public hearing, the proposal, which may have been amended subsequent to the public hearing, shall be submitted to the town meeting by an appropriate warrant article.

An organization or reorganization plan shall become effective at the expiration of sixty (60) days following the date of the town meeting at which the proposal is submitted unless the town meeting shall, by a majority vote within that time, vote to disapprove the plan. The town meeting may vote only to approve or disapprove the plan and may not vote to amend to alter it.

The town administrator may, through the administrative code, and subject only to express prohibitions in a general law, or this charter, reorganize, consolidate or abolish any town agency, in whole or in part; establish such new town agencies as is deemed necessary to the same extent as is provided in section 5-1 (a), above, for by-laws; and for such purpose transfer the duties and powers and, so far as is consistent with the use for which the funds were voted by the town, transfer the appropriation of one town agency to another; provided, however, that no function assigned by this charter to a particular town agency may be discontinued or, unless this charter specifically so provides, assigned to any other.

#### **SECTION 5-2: PUBLICATION OF ADMINISTRATIVE CODE AND PERSONNEL PLAN**

For the convenience of the public, the administrative code and any amendments thereto shall be printed as an appendix to, but not an integral part of the by-laws of the town of Grafton. The personnel and staffing plan as prepared by the town administrator, in conformity with section 4-2 (c), shall be published annually in the town report.

### **SECTION 5-3: MERIT PRINCIPLE**

All appointments and promotions of town officers and employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence and suitability.

### **SECTION 5-4: DEPARTMENT OF PUBLIC WORKS**

There shall be a department of public works, headed by a director of public works, who shall be either the town administrator or a director of public works appointed by the town administrator. The appointment of a director of public works by the town administrator shall become effective on the fifteenth day following the day notice of the appointment is filed with the board of selectmen unless the board of selectmen shall within that period, by a majority of all of its members, vote to reject such appointment. The director of public works so appointed shall be a person especially fitted by education, training, or previous experience to perform the duties of the office.

The director of public works shall be responsible for the supervision and coordination of all public works operations of the town which are placed under his control by this charter, by by-law, by vote of the town or otherwise. Public works operations may include, but need not be limited to the following operations: refuse collection and disposal, storm sewers and drains, protection of natural resources, forestry services, streets, roads, sidewalks, cemeteries and maintenance of all other town owned buildings, grounds and facilities, including, if authorized by a town meeting vote, maintenance of school buildings and grounds. Other activities and functions which are related to a department of public works, may from time to time be assigned to the department in accordance with by-laws or an administrative code, as provided in Section 5-1.

The department of public works shall assume all of the duties and responsibilities and perform all of the functions related to public works, including, but not limited to those which, prior to adoption of this charter, were performed by the tree warden, highway department, recreation commission, and the refuse collection and disposal function under the board of health.

The board of selectmen, acting through the town administrator, shall be responsible for the overall supervision of the department of public works and for the establishment of policies and other guidelines to govern the operation of the department in the same manner as is provided generally in Section 3-2 (b).

### **SECTION 5-5: PUBLIC WORKS ADVISORY COMMITTEE**

- (a) **Composition, Term of Office** - There shall be a public works advisory committee consisting of three members appointed by the town administrator for terms of three years each, so arranged that the term of office of one member shall expire each year.
- (b) **Powers and Duties** - The public works advisory committee shall be responsible for advising the town administrator and the board of selectmen on all aspects of public works operations and policy. The advisory committee shall assist in the preparation of long range comprehensive of master plans for the town in public works related matters including, but not limited to, street and road improvement and maintenance programs, water and sewer extension, improvement and development programs.

## **SECTION 5-6: BOARD OF SEWER COMMISSIONERS**

- (a) **Composition, Term of Office** -- Pursuant to Article 4, Section 4-2 (b) and Article 8, Section 8-5 (f) (3) of this Charter, the three members of the Board of Sewer Commissioners shall continue to be appointed by the Town Administrator for terms of three years each, so arranged that the term of office of one member shall expire each year.
- (b) **Powers and Duties** – The Board of Sewer Commissioners is a committee with separate legal status as created by St. 1946, c. 193, and as approved under Article 36 of the warrant for the Grafton Annual Town Meeting that convened on May 12, 1975. The Board's powers and duties remain those defined in said Act,